

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEMS PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
THIS DOCUMENT RELATES TO: WAVE 6 CASES ON ATTACHED EXHIBIT "A"	

**PLAINTIFFS' MOTION TO EXCLUDE CERTAIN OPINIONS
AND TESTIMONY OF JOHN WAGNER, MD**

Plaintiffs respectfully request that the Court preclude defense expert John Wagner,, M.D., from giving opinions on: (1) the adequacy of Defendants' pelvic mesh products' warnings and IFUs, including opinions regarding what risks of the devices other doctors know of; (2) testimony regarding physical properties of the mesh, including degradation, weight, porosity, and cut of the mesh; and (3) any opinions regarding the safety and efficacy of the Prolift device.

In support of this motion, Plaintiffs have submitted a memorandum of law and also rely upon the following attached exhibits:

1. A true copy of the Wave 5 TVT Expert Report of John Wagner, M.D. is attached hereto as Exhibit B.
2. A true copy of the Curriculum Vitae of John Wagner, M.D. is attached hereto as Exhibit C.
3. A true copy of the Deposition of Dr. John Wagner dated March 13, 2017, is attached hereto as Exhibit D.

4. A true copy of Exhibit 9 from Deposition of Dr. John Wagner dated March 13, 2017, is attached hereto as Exhibit E.
5. A true copy of the Wave 6 Prolift Expert Report of John Wagner, M.D. is attached hereto as Exhibit F.
6. A true copy of the Deposition of Dr. John Wagner Dated September 25, 2017 is attached hereto as Exhibit G.
7. A true copy of Dr. Wagner's "reliance list" is attached hereto as exhibit H.

Dated: October 23, 2017

Respectfully submitted,

/s/Thomas P. Cartmell

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CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing document on October 23, 2017 using the Court's CM-ECF filing system, thereby sending notice of the filing to all counsel of record in this matter.

/s/ Thomas P. Cartmell

Attorney for Plaintiffs